

REMARKS

Claims 1-75 were presented in the application as entered into the U.S. national phase on June 23, 2006. In a concurrently-filed preliminary amendment, Applicants canceled claims 1-75 without prejudice, and added new claims 76-108 to place the claims in better form for U.S. practice. Currently, Applicants amend claims 76, 77, 102, and 103 without prejudice to omit the term "solvates". Claims 76-108 are pending, although claims 105-108 are withdrawn from consideration as being directed to non-elected subject matter.

The Restriction Requirement dated May 6, 2011 asserts that claims 76-108 are subject to restriction under 35 U.S.C. §§ 121 and 372 among the following groups:

- Group I:** Claims 76-104, drawn to compounds of formula (I) and compositions thereof.
- Group II:** Claim 105, drawn to methods for the prophylaxis or treatment of a disease state or condition mediated by protein kinase B using compounds of formula (I).
- Group III:** Claim 106, drawn to methods for treating a disease or condition comprising or arising from abnormal cell growth using compounds of formula (I).
- Group IV:** Claim 107, drawn to methods of inducing apoptosis in a cancer cell using compounds of formula (I).
- Group V:** Claim 108, drawn to processes for the preparation of compounds of formula (I).

Applicants hereby elect, without traverse, the claims of **Group I** (claims 76-104, drawn to compounds of formula (I) and compositions thereof).

In response to the election of species requirement, which requires election of a specific compound of formula (I), Applicants hereby elect, without traverse, the species 2-amino-1-(4-chloro-phenyl)-1-[4-(1H-pyrazol-4-yl)-phenyl]-ethanol, which is disclosed as Example 84 on page 181 of the specification. The species is encompassed by Group I claims 76-80, 86-92, and 94-104, and by withdrawn claims 105-108.

Applicants have elected the claims of Group I, directed to compounds and compositions. If these claims are allowed, Applicants request that the restriction be withdrawn with respect to the method and process claims, and that the method and process claims be rejoined in accordance with MPEP § 821.04(b) provided that they depend from the allowable compound claims, require all of the limitations of the allowable compound claims, or are amended to require all of the limitations of the allowable combination claims.

The fee for a two-month extension of time is submitted herewith. No additional fees are believed due. However, the Commissioner is hereby authorized to charge any additional fees that may be required, or credit any overpayment, to Deposit Account No. 08-1935, Reference No. 3073.006B.

If a telephone conference would be of assistance in advancing the prosecution of the subject application, Applicants' undersigned attorney invites the Examiner to telephone her at the number provided.

Respectfully submitted,



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